

Date: April 5, 2010

Date Minutes Approved: April 26, 2010

BOARD OF SELECTMEN MINUTES

Present: Shawn Dahlen, Chair; Elizabeth H. Sullivan, Vice-Chair.

Absent: Christopher Donato, Clerk.

Staff: Richard MacDonald, Town Manager; John Madden (at 7:00 PM), Finance Director; and C. Anne Murray, Adm. Assistant.

The meeting was called to order at approximately 6:35 PM.

VOTE TO ENTER EXECUTIVE SESSION

Upon convening, Mr. Dahlen moved that the Board of Selectmen go into Executive Session to discuss strategy with respect to collective bargaining since an open meeting may have a detrimental effect on the town's bargaining position and to reconvene in Open Session in accordance with Mass. General Laws Chapter 39, Section 23b. Second by Ms. Sullivan.
Roll Call Vote: Ms. Sullivan – Aye; Mr. Dahlen – Aye.

RE-CONVENED IN OPEN SESSION

The Executive Session business was concluded so that the Board could re-convene in Open Session at 7:00 PM.

OPEN FORUM

No items were brought forward.

HUMAN RESOURCES OFFICER RE: COLLECTIVE BARGAINING AGREEMENTS

Ms. Jeannie Horne, Town of Duxbury HR Officer, presented this item of business. She mentioned the following regarding the recommendations being made for the FY 2011 Health, Dental and Life Insurance rates:

- The PPO (Blue Care Elect Preferred) and HMO (Network Blue) insurance rates will remain unchanged because the claims experience continues to be positive.
- For Master Health Plus the recommendation is for a 7% increase. This is necessitated in order to keep pace with the plan's expenses.
- The Delta Dental rates will remain unchanged as this is the second year of the Town's rate guarantee with the provider. The Town offers two optional dental plans, which are paid for 100% by the employees. Although the rates are unchanged, the maximum benefit under the basic plan is being increased from \$1000 to \$1500.
- The basic life insurance rates with Boston Mutual are remaining unchanged, and have been guaranteed for another three years.

Mr. MacDonald mentioned that the Town does have an Insurance Committee, which meets monthly to review the claims experience, related financials and the Health Insurance Trust balance. The rate recommendations being brought forward are being made at the recommendation of that Committee.

Ms. Horne also gave an overview of some wellness initiatives that will be explained and offered to employees for the coming benefit year as incentives to improve and maintain healthy lifestyles.

Ms. Sullivan moved that the Board of Selectmen vote to set the health insurance rates for FY'11 to increase the Mass Health Plus rate by 7% and to keep the current PPO and HMO rates unchanged, in accordance with the memo of Jeannie Horne, Human Resources Officer, dated April 1, 2010. Second by Mr. Dahlen. VOTE: 2:0:0.

Ms. Sullivan moved that the Board of Selectmen vote to keep the Delta Dental rates at the current rates for FY'11 in accordance with the memo of Jeannie Horne, Human Resources Officer, dated April 1, 2010. Second by Mr. Dahlen. VOTE: 2:0:0.

Ms. Sullivan moved that the Board of Selectmen vote to keep the life insurance rate, for the coverage offered through Boston Mutual, at the current rate for FY'11 in accordance with the memo of Jeannie Horne, Human Resources Officer, dated April 1, 2010. Second by Mr. Dahlen. VOTE: 2:0:0.

7:01 P.M. PUBLIC HEARING: CHANGES TO THE RULES & REGULATIONS FOR MOORINGS AND FOR DUXBURY BEACH (HOURS OF OPERATION)

Present to discuss this item of business were: Mr. Don Beers, Duxbury Harbormaster and Mr. Ned Lawson, Chair of the Duxbury Bay Management Commission (DBMC).

Mr. Dahlen announced the next item of business was a Public Hearing regarding changes to the Rules and Regulations regarding Moorings and the Duxbury Beach (Hours of Operation). He read the notice which was published in *The Duxbury Clipper* on Wednesday, March 31, 2010. He suggested that the Moorings and Duxbury Beach (Hours of Operation) be presented and voted on separately.

- MOORINGS

Mr. Beers explained that the Harbormaster's Department has been working with the DBMC Mooring Subcommittee to update the rules and regulations for moorings, permits and waiting lists with the focus being twofold: (1) housekeeping items for standardized and consistent language and (b) improvements to make the mooring fields safer. The recommendations were discussed and agreed to at the March 4, 2010 DBMC meeting.

Mr. Lawson concurred. He gave a couple of examples of how more consistent language was utilized. He also pointed out that existing moorings will be okay, but when moorings undergo mandatory inspections every three years as components need to be replaced, then the owner must conform to the new specifications.

Public comments were invited, but none were made. Mr. Will Zachmann did inquire "How does a vendor become an authorized mooring service?" In response Mr. Beers referred him to a section towards the end of the rules and regulations which list the requirements.

Ms. Sullivan moved that the Board of Selectmen amend the rules and regulations for moorings, permits and waiting lists, as presented, to be effective as of April 5, 2010. Second by Mr. Dahlen. VOTE: 2:0:0.

As Mr. Lawson was present, Ms. Sullivan took the opportunity to inquire about the status of dredging in the Duxbury Bay. This led to a brief discussion about the status of the dredging requests. Mr. Lawson reported that the information requested by the Army Corps of Engineers (ACOE) has been submitted. The Town is now waiting for a response. He gave a short overview regarding the other steps in the process.

- **DUXBURY BEACH (HOURS OF OPERATION)**

It was explained that last year due to budgetary constraints the hours were reduced. As funding was restored in the coming FY'11 budget the proposed changes are for a reinstatement of the hours.

Public comments were invited, but none were made.

Ms. Sullivan moved that the Board of Selectmen amend the rules and regulations for Duxbury Beach (Hours of Operation) as follows:

Section 8. Resident Parking Area hours (weather permitting) are:

North Lot: 9:00 AM to Sunset (Seasonal)

Sept – April 9:00 AM – Sunset (Off- Season)

South Lot: 6:00 AM to 11:30 PM (Seasonal)

Sept – April 9:00 AM – Sunset (Off- Season)

Section 9. The over sand use hours are from 8:00 AM to 11:00 PM (Seasonal May-Sept). Further restrictions may be required for access management, or public safety- Off Season access shall apply.

with the amended rules and regulations to be effective as of July 1, 2010, but with the ability of the Town Manager to authorize the extended hours prior to that date at his discretion. Second by Mr. Dahlen. VOTE: 2:0:0.

The revised Rules and Regulations will be posted on the Harbormaster's website this week.

MEETING OF THE WATER & SEWER COMMISSIONERS: COMMITMENT OF WATER & SEWER CHARGES

Ms. Sullivan moved that the Board of Selectmen adjourn the meeting as Selectmen in order to meet as the Water & Sewer Commissioners, with the intent of re-convening as Selectmen afterward. Second by Mr. Dahlen. VOTE: 2:0:0.

Mr. Dahlen moved that the Board of Water & Sewer Commissioners instruct the Treasurer to collect the following amounts: \$522,065.05 for water, \$13,816.75 for sewer, and \$2,325.72 for service, amounting in the aggregate of \$538,207.52. Second by Ms. Sullivan. VOTE: 2:0:0.

Mr. Dahlen explained that this is the mechanism used for billing and collecting the water and sewer bills.

ADJOURN AS WATER & SEWER COMMISSIONERS & RE-CONVENE AS SELECTMEN

Mr. Dahlen moved that the Board adjourn their meeting as Water & Sewer Commissioners and re-convene as Selectmen. Second by Ms. Sullivan. Vote: 2:0:0.

PLANNING FOR LAND-USE SUMMIT

In the Selectmen's packet was the format of the invitation used for last year's "Land Use Forum." The date for this year's Land Use Forum was set for Thursday, May 19, 2010. All the Boards who were invited in the past will be invited again. In addition this year's invitation will also be sent to: the Town Building Committee, the Local Historic District Commission, and the Duxbury Bay Management Commission. The letter will solicit topics of interest so that an agenda can be prepared prior to the meeting.

BUSINESS

TOWN MANAGER'S BRIEF

Mr. MacDonald mentioned the following items:

1. **Construction Costs:** The Construction Cost estimates for March were \$1.9 million. He was encouraged by the numbers.
2. **Emergency Management / FEMA assistance:** Due to the significant rain this past week and the Governor's declaration of a State of Emergency, any person or business that has sustained flood damage may request assistance. Fire Chief Nord has provided a letter giving the contact information and that will be posted on the website and available through the Town Manager's Office.
3. **Commended Public Safety staff:** Mr. MacDonald mentioned that it was an active weekend with several incidents requiring prompt actions by both the Police and Fire Departments. He wanted to commend them for their professionalism in handling the situations.

ANNOUNCEMENTS

Mr. Dahlen announced that due to the recent rains the shellfish beds were closed. Harbormaster Beers has received notification from the Division of Marine Fisheries that the shellfish beds were re-opened as of noon today (April 5, 2010).

Mr. Dahlen did mention that he plans to attend the Public Safety Building Feasibility Study Committee meetings as a liaison to the Board of Selectmen. He did mention that he has been told that before moving forward the Public Safety Committee will be re-visiting the concept of a joint public safety building. The Committee just wants to assure that all avenues have been explored before proceeding.

New Headings added to the Agenda: Mr. Dahlen explained he has added two new headings to the Agenda: **New Business** and **Old Business**. Under new business will be an opportunity for members of the Board to bring forward items that they would like to discuss with their colleagues to see if there might be merit to acting on them. Under "Old Business" the Selectmen can update each other on the status of various items.

NEW BUSINESS

Mr. Dahlen indicated one new business item he would like to see is an Annual Strategic Planning Workshop. He feels this would be a way for the Board of Selectmen to meet with the Senior Management team to establish some Town goals and steps for moving towards those goals. Ms. Sullivan and Mr. MacDonald mentioned similar meetings were held in the past and a general discussion followed which gave an overview of some of the pros and cons of them. In concept all agreed such a workshop would be worthwhile, but the details would need to be developed as far as a theme and/or topics, arranging for a facilitator, and setting a date, time and location.

Mr. Will Zachmann offered some comments welcoming this initiative. He suggested that setting goals for the Town would be the basis for strategic and tactical planning. He also offered some opinions regarding topics to be covered.

OLD BUSINESS – nothing was brought forward.

MINUTES

There were draft minutes from the meeting of March 29, 2010 in the Selectmen's packet. Mr. MacDonald pointed out a correction to the recording of one of the votes. Ms. Sullivan suggested postponing approval until Mr. Donato was present.

Committee Appointments/Re-appointments - None

ADJOURNMENT OF OPEN SESSION / RETURN TO EXECUTIVE SESSION

At 7:55 PM Mr. Dahlen moved to adjourn the Open Session and to reconvene in Executive Session for further discussion of strategy with respect to collective bargaining since an Open Meeting may have a detrimental effect on the town's bargaining position and to adjourn directly from Executive Session when the Executive Session business is concluded. Second by Ms. Sullivan. Roll Call Vote: Ms. Sullivan – Aye; Mr. Dahlen – Aye.